

Opening Statement of Republican Leader Rodgers
Subcommittee on Consumer Protection and Commerce Hearing on
“Consumers Beware: Increased Risks During the COVID-19 Pandemic”
July 9, 2020

As Prepared for Delivery

Thank you, Chair Schakowsky, and thank you to our witnesses for participating today.

I’m looking forward to the expert testimony of our panel and value their insights.

However, this hearing should also include the relevant agencies in our jurisdiction.

That includes the FTC and CSPC, which are essential to our mission to protect consumers.

This Administration has made it a priority to protect Americans during this health and economic crisis and hearing directly from the Commissioners should have been a part of today’s discussion.

In addition while the subject matter for this hearing is broad, there is a striking omission from the Majority’s background memo.

Data Privacy is the most fundamental consumer protection we could advance and should right now be working on together.

We enthusiastically participated in good faith negotiations with the Majority, which preceded the COVID-19 outbreak.

Although the pandemic broke the rhythm of our talks, it has made the need for a strong national privacy standard more urgent.

There are plenty of proposals out there. Notably, our subcommittee has developed the only bipartisan staff draft on either side of the Hill.

My hope was that this draft would serve as a foundation for a strong, bipartisan bill I could introduce with Chair Schakowsky.

There are also targeted proposals that include protections during this pandemic, including one from Chair Schakowsky and Chair Eshoo.

To protect people's privacy, I'm open to a targeted proposal but the partisan process and product from my colleagues did serious harm to our bipartisan talks on a broader bill.

Frankly, partisan proposals have no chance of being signed into law.

If the Majority chooses to come back to the negotiation table, I know we can still pass a comprehensive bipartisan bill in the House.

If the point of targeted bills is that we want consumer protections during this crisis, why don't we find agreement on a broader bill now and put a sunset date on it for us to revisit it later?

This is not my first choice for a solution, but if we don't act now and work together, I fear a few more years will slip away before we see real action.

The result will be a bigger patchwork of laws and it will be impossible for people to trust how their privacy is protected.

It has never been more important that we set a national standard.

- More Americans are spending their days online than ever before.
- There are many data driven proposals for contact tracing that have raised privacy concerns.
- Small and medium sized businesses—who are already struggling to survive—must now worry about being crushed by CCPA enforcement and frivolous lawsuits.

Chairman Pallone tweeted that he wanted to pass a comprehensive privacy bill by the end of this Congress.

Let's get it done. With our bipartisan draft, no one else is better positioned to do this.

Let's see how it works for a set period and then negotiate to extend it with the added hindsight.

If we succeed, Americans won't be left with uncertainty over how their data is collected during this pandemic and in the future.

Another area where certainty is needed is in liability protections.

For our economy to boom again, we must address the liability uncertainty hanging over the head of every small business owner out there.

If we strike the right balance between protecting the safety of workers **and** protecting employers from frivolous lawsuits, people can get back to work safely and have the opportunity again to build a better life.

To win the future, we should also be focusing on the importance of emerging technologies that enhance consumer protection.

Generally, and in relation to the pandemic, the Trump administration has been at the forefront of American leadership in emerging tech.

For example, the Office of Science and Technology Policy is leading a public-private partnership that leverages AI and quantum computing in our fight against the virus.

Many of the problems we are talking about here today could be solved with progress in advanced materials, blockchain and quantum computing.

Not only will these technologies help us fight scams, unsafe products, and misinformation directly, they will also help ensure we lead the world and beat

China, which is the greatest global source of fake and unsafe products and dangerous misinformation.

Thank you again and I look forward to the discussion.